

NORTH CAROLINA  
Environmental Quality

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

BRAXTON C. DAVIS  
Director

April 15, 2019

Everette S. Newton, Mayor  
Town of Beaufort  
701 Front St.  
Beaufort, NC 28516

CERTIFIED MAIL RETURN RECEIPT  
REQUESTED and electronically:  
[e.newton@beaufortnc.org](mailto:e.newton@beaufortnc.org)

John Day, Town Manager  
Town of Beaufort  
701 Front St.  
Beaufort, NC 28516

CERTIFIED MAIL RETURN RECEIPT  
REQUESTED and electronically:  
[j.day@beaufortnc.org](mailto:j.day@beaufortnc.org)

**Re: Certification of Amendment to the Town of Beaufort's Core Land Use Plan**

Dear Mayor Newton and Mr. Day:

Please find enclosed the written Final Agency Decision granting the Town of Beaufort's request for certification of a fifth amendment to its Core Land Use Plan. Let me know if you have any questions.

Very truly yours,

Braxton C. Davis, Director

cc via email: M. Renee Cahoon, Chair  
Mary L. Lucasse, Commission Counsel  
Rachel Love-Adrick, Morehead City District Planner  
Kyle Garner, Town of Beaufort, Planning Director



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IN THE MATTER OF THE TOWN OF )  
BEAUFORT'S REQUEST FOR )  
CERTIFICATION OF THE FIFTH )  
AMENDMENT TO CORE LAND USE )  
PLAN )

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**FINAL AGENCY DECISION**

**FACTS**

1. The Town of Beaufort (hereinafter the "Town") is located in eastern North Carolina in Carteret County and is bounded by unincorporated areas of Carteret County to the north, the North River to the east, Back Sound to the south, and the Newport River to the west.
2. The Core Land Use Plan was certified by the Coastal Resources Commission (CRC) on January 26, 2007. There have been four amendments to the Town's Core Land Use Plan; the first was certified by the CRC on July 11, 2017. The second, third, and fourth amendments were certified by the Division Director on March 5, 2018; June 19, 2018; and February 1, 2019, respectively.
3. The Town is requesting certification of a fifth amendment to the Core Land Use Plan to make a rezoning consistent with the Future Land Use Map. The rezoning is to three parcels at 2176 Live Oak Street, 2150 Live Oak Street, and an unaddressed parcel (PINs 731605197582000, 731605191929000, 731605191609000). The properties were rezoned from R-20 Low Density Residential District to L-ICZ Light Industrial – Conditional Zoning District. The amendment will change the designation on the plans Future Land Use Map from Low Density Residential to General Commercial.
4. The Town of Beaufort Board of Commissioners held a duly advertised public hearing to consider the proposed amendment to the Core Land Use Plan and voted unanimously, by resolution to adopt the amendment on February 11, 2019. The public had the opportunity to

provide written comments on the plan up to thirty (30) calendar days after local adoption. No comments were received.

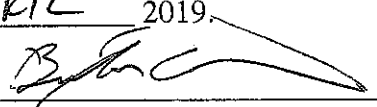
### CONCLUSIONS OF LAW

1. This amendment to the Town of Beaufort Core Land Use Plan has met the substantive requirements outlined within the 2017 Land Use Plan Guidelines.
2. There are no conflicts evident in the fifth amendment to the Town of Beaufort Core Land Use Plan with either state or federal law or the State's Coastal Management Program.
3. The elected body of The Town of Beaufort made a final decision on the contents of the Amended Core Land Use Plan and provided opportunity for the public to provide written comment following local adoption of the plan, as required by N.C.G.S. § 113A-110 and 15A NCAC 7B .0801 and .0802, and The Town of Beaufort Amended Core Land Use Plan was submitted to the NC Division of Coastal Management without written objection or comment from the public.
4. During its regularly scheduled meeting on November 7-8, 2017, the North Carolina Coastal Resources Commission delegated to the Director of the North Carolina Division of Coastal Management, Department of Environmental Quality, its authority to approve Land Use Plans pursuant to N.C.G.S. §113A-110(f). The conditions under which the delegation was made are included in the November 20, 2017 letter to Braxton Davis, Director from Commission Chair Renee Cahoon. Pursuant to that delegation, the undersigned makes the following decision.

### DECISION

For the reasons stated herein, the Town of Beaufort's request for certification of the amendment to its Core Land Use Plan is GRANTED.

This the 16<sup>TH</sup> day of APRIL 2019.

  
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Braxton C. Davis, Director  
N.C. Division of Coastal Management

## CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the attached **Final Agency Decision** on the Town of Beaufort and the North Carolina Coastal Resources Commission by the means specified below:

### Method of Service

John Day, Town Manager  
Town of Beaufort  
701 Front St.  
Beaufort, NC 28516

CERTIFIED MAIL RETURN RECEIPT  
REQUESTED

and electronically [j.day@beaufort.nc.org](mailto:j.day@beaufort.nc.org)

Everette S. Newton, Mayor  
Town of Beaufort  
701 Front St.  
Beaufort, NC 28516

CERTIFIED MAIL RETURN RECEIPT  
REQUESTED

and electronically [e.newton@beaufortnc.org](mailto:e.newton@beaufortnc.org)

Kyle Garner, Planning Director  
Town of Beaufort  
701 Front St.  
Beaufort, NC 28516

U.S. Mail and electronically:

[k.garner@beaufortnc.org](mailto:k.garner@beaufortnc.org)

M. Renee Cahoon, Chair  
Coastal Resources Commission

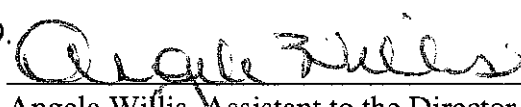
Electronically: [Renee.Cahoon@ncdenr.gov](mailto:Renee.Cahoon@ncdenr.gov)

Mary L. Lucasse  
Commission Counsel  
NC Coastal Resources Commission  
PO Box 629  
Raleigh, NC 27602

Electronically: [mlucasse@ncdoj.gov](mailto:mlucasse@ncdoj.gov)

Rachel Love-Adrick, District Planner  
Division of Coastal Management  
400 Commerce Ave.  
Morehead City, NC 28557-3421

Electronically: [rachel.love-adrick@ncdenr.gov](mailto:rachel.love-adrick@ncdenr.gov)

This is the 22 day of April 2019.   
Angela Willis, Assistant to the Director